

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,	)	No. CR18-5363 RJB
	)	
Plaintiff,	)	
	)	ORDER GRANTING DEFENSE
v.	)	MOTION TO CONTINUE TRIAL
	)	DATE AND PRETRIAL MOTIONS
PAUL MICHAEL BERGIN,	)	DUE DATE
	)	
Defendant.	)	

THE COURT has considered the defendant's motion to continue the trial date and pretrial motions deadline and the facts and circumstances described therein, which are hereby incorporated as findings of fact, and finds that:

(a) taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

(b) a failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

(c) the additional time requested is a reasonable period of delay, as the defendant has requested more time to prepare for trial, to investigate the matter, to gather evidence material to the defense, and to consider possible defenses; and

1 (d) the case is sufficiently complex that it is unreasonable to expect adequate  
2 preparation for pretrial proceedings or the trial itself within the current trial schedule, as  
3 set forth in 18 U.S.C. § 3161(h)(7)(B)(ii); and

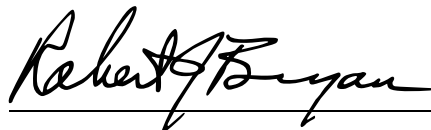
4 (e) the ends of justice will best be served by a continuance, and the ends of  
5 justice outweigh the best interests of the public and the defendant in any speedier trial,  
6 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

7 (f) the additional time requested between the current trial date of August 27,  
8 2018, and the new trial date is necessary to provide counsel for the defendant the  
9 reasonable time necessary to prepare for trial, all of the facts set forth above; and

10 (g) that the period of delay from the date of this motion to the new trial date is  
11 excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

12 IT IS THEREFORE ORDERED that the trial date in this matter shall be  
13 continued to January 7, 2019, and that pretrial motions shall be filed no later than  
14 November 23, 2018. The Pretrial Conference will be held at 8:30 a.m. on Friday,  
15 December 21, 2018.

16 DONE this 31<sup>st</sup> day of July, 2018.

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19 ROBERT J. BRYAN  
20 United States District Judge

21 Presented by:

22 s/ *John R. Carpenter*  
23 Assistant Federal Public Defender  
24 Attorney for Paul Bergin  
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